

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
WOODY ALLEN,

Plaintiff,

-- against --

AMERICAN APPAREL, INC.,

Defendant.
-----X

Civil Action No. 08 CV 3179 (TPG) (KNF)

**DECLARATION OF STUART P.
SLOTNICK IN SUPPORT OF
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT**

I, STUART P. SLOTNICK, declare under penalty of perjury that the following is true and correct:

1. I am a shareholder with Buchanan Ingersoll & Rooney PC, counsel to Defendant American Apparel, Inc. ("Defendant"). I am admitted to practice in the State of New York and I am a member of the Bar of this Court.
2. This Declaration is filed in support of Defendant's Motion for Summary Judgment. True and correct copies of the following exhibits are attached hereto:
 3. Exhibit A is a copy of excerpts from the deposition of Dov Charney.
 4. Exhibit B is a copy of the "Alvy Singer/Woody Allen" photographs and billboards.
 5. Exhibit C is a copy of excerpts from the deposition of Alexandra Spunt.
 6. Exhibit D is a copy of excerpts from the deposition of Iris Alonzo.
 7. Exhibit E are copies of press and awards bearing bates numbers AA4174-4175, AA4167, AA4231-4232, AA4173, AA4197-AA4200, AA4164, AA4165, and AA4166.
 8. Exhibit F is a copy of photos of other billboard usages bearing bates AA2294, AA4266-4269.
 9. Exhibit G is a copy of Dov Charney's yearbook pages bearing bates AA4359-4362.

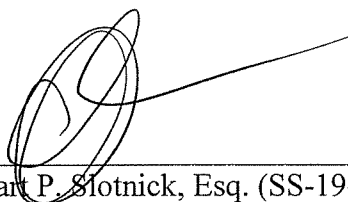
10. Exhibit H is a copy of e-mail exchange between Dov Charney and his mother bearing bates AA4270-4271.

11. Exhibit I is a copy of excerpts from the proxy statement dated November 28, 2007 mailed to Endeavor Acquisition Corp. stockholders, also available at <http://www.sec.gov/Archives/edgar/data/1336545/000119312507254917/ddefm14a.htm>.

12. Exhibit J is a copy of excerpts from the deposition of Woody Allen.

13. Exhibit K are sample American Apparel advertisements.

Dated: New York, New York
May 7, 2009



Stuart P. Slotnick, Esq. (SS-1964)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Declaration of Stuart P. Slotnick in support of Motion for Summary Judgment is being served via ECF this 7th day of May, 2009 upon the following counsel of record for Plaintiffs:

Michael P. Zweig
Christian Carbone
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